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surrender for "to" surrender, on p. 232; "sale" for "scale," on p. 235; "paaties" for "parties," on p. 310; "is" for "in," on p. 341; "fide" for "fides," on p. 532; "fo" for "for," on p. 553 and "sub-pledgee" for "sub-pledge," on p. 554. A curious abbreviation of the word "justice" is seen in the form of "jus.," as Matthews, *Jus.*, on pp. 491, 538 and 742, Miller, *Jus.*, on p. 534, and many other instances; apparently, however, the peculiarity is not always present; as, see Rapallo, *J.*, on p. 550. A certain carelessness in the preparation is seen on p. 638, where Pennsylvania and Missouri Statutes are referred to not only without giving the text, but even without giving the proper reference to the digest or pamphlet laws.

After these comments have been made, it is only fair to add that the writer seems to have fairly exhausted his subject, and if the *desideratum* were a digest and not a text-book, the result would possibly be satisfactory. Indeed, as it stands, the volume will probably be of some practical use as a reference book to a lawyer, though of no use to a student or practitioner who wishes to study the subject as a whole.

*R. D. B.*

THE LAW OF MINES AND MINING IN THE UNITED STATES. By DANIEL MOREAU BARRINGER and JOHN STOKES ADAMS, of the Philadelphia Bar. Boston: Little, Brown & Co. 1897.

Owing to the vast growth of the mining industry, especially in the west during the past few years, and the constantly increasing litigation and number of decisions bearing thereon, the "Law of Mining" has taken its place with the many other subjects, which, starting as insignificant parts of a larger branch of the law, now merit the attention of lawyers as a special study. Although our authors claim that the law of mines has no "logical" existence as a separate branch of jurisprudence, yet their work itself, the amount of care and learning which has necessarily been expended to bring its varied parts together into a concrete whole, thoroughly convince us that the Law of Mines is a "practically" distinct subject and must be so regarded by those who wish to understand questions relating to it.

Many of the questions treated of in the work have been considered more or less incidently and imperfectly by writers on Real Property, Contracts, Torts, Easements, etc., but here we have a comprehensive treatise on every point which could in any probability arise on a mining question, and one arranged in a logical and orderly fashion, making it easy of access on each particular branch of the subject.

The method of arrangement is somewhat striking, but is on the whole justified by the results obtained. Instead of long chapters with interminable foot-notes covering nearly the whole of each page, the authors have sub-divided each chapter into a number of heads, and have given under each of these heads a short, succinct and accurate statement of the law (together with the opposing view, if any,) which rarely occupies more than a page. To this there is

appended a digest of all the leading cases throughout the country, arranged chronologically under each state, the states being given in their alphabetical order. Not only are the facts of each case stated, but all important parts of the opinions are given *verbatim*. Of course, such an arrangement would be impossible in treating of a subject such as Negligence or Property, where a vast multitude of cases are necessary, but the two thousand cases here given are well digested without unduly extending the size of the volume, thus giving the busy lawyer a treatise and digest in one.

Recognizing the importance of some knowledge of geology by lawyers who attempt to conduct a case on a subject so little understood by those who have not enjoyed a scientific education, Mr. Barringer opens the work with an extended essay on the origin, formation and nature of each mineral which is likely to be dealt with, presenting in untechnical language its chemical and physical consistency and the conditions under which it may be found. This essay, well illustrated by wood cuts, is, to the majority of persons, not only convenient, but necessary to a proper understanding of any case which involves the technical questions.

The first chapter of the work is devoted to property rights in minerals, the sub-divisions discussing the rights as they vary with the kind of mineral, the estate of the person who is in possession of the land, etc. Then logically follows a consideration of the mere right to take the minerals from the soil without owning the latter, involving an exhaustive discussion of mining leases and the rights and duties of the parties thereto, which continues for three chapters.

Chapter V. is concerned with the rights of the sovereign power over minerals, and from this we are lead to the great bulk of the work, namely, how the right of the sovereign is gained by private persons. These chapters, from VI to XVIII, contain a full and complete statement of the law in regard to the various kinds of mining claims, how they must be located and established, the numerous regulations and formalities necessary to obtain the patent and the effect of the Statute of Limitations.

Having described how the miner obtains his claim, the authors then consider his rights and liabilities to others in the next four chapters, in which are discussed natural rights and easements of importance to miners, such as those relating to water and to the surface and latteral support of the soil. The balance of the work comprises several incidental chapters touching, among other things, the joint ownership of mines and various statutory provisions respecting the employment, health, safety and pay of mine employees. To the whole is appended a reprint of the United States Statutes and the Land Office Regulations on the general subject.

Messrs. Barringer and Adams are to be sincerely congratulated upon the production of a work which not only displays great research on the subject, but which is written in interesting and scholarly style and is arranged in a manner most convenient to lawyers. The fact that the book is published by Little, Brown & Co., speaks for its mechanical excellence.